

EXHIBIT “A”

UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF WYOMING

STEPHANIE WADSWORTH, individually
and as Parent and legal guardian
of WW, KW, GW and SW, minor
children of MATTHEW WADSWORTH,
Plaintiffs, Case No.
2:23-cv-00118-NDF

vs.
WALMART, INC., and JETSON ELECTRIC
BIKES, LLC,

Defendants.

VIDEO-RECORDED DEPOSITION OF:
CORPORATE REPRESENTATIVE OF
JETSON ELECTRIC BIKES

SAM HUSAIN

TAKEN AT: McCOY, LEAVITT, LASKEY LAW
LOCATED AT: N19 W24200 Riverwood Drive
Waukesha, Wisconsin

May 17, 2024

9:36 a.m. to 2:11 p.m.

REPORTED BY: VICKY L. ST. GEORGE, RMR.

JOB NO. 6646833

1 A. Yes.

2 Q. Back in 2022 was the manufacturer of the Jetson Rogue
3 lithium battery the same as the manufacturer of the
4 Jetson Plasma lithium battery?

5 A. Of the battery itself?

6 Q. Yes, sir.

7 A. Yes.

8 Q. So the lithium batteries in the Jetson Rogue that's
9 referenced in 55 --

10 A. Um-hum.

11 Q. -- Exhibit 55, would have been manufactured by the
12 same company that -- Strike that.

13 The lithium battery manufacturer of the
14 Jetson Rogue was the same lithium battery
15 manufacturer for the Jetson Plasma that the Wadsworth
16 family owned, correct?

17 A. The manufacturer of the battery pack?

18 Q. Yes, sir.

19 A. Yes.

20 Q. Okay. And I understand other components, for
21 instance, you know, the wheels or the foot plate or
22 what have you, those may have different
23 manufacturers. However, the battery itself was
24 manufactured by the same company?

25 A. Yes, but it's a different spec of a battery.

1 Q. Okay. Describe what you mean.

2 A. So yes, the manufacturer is the same. I'll just use
3 a layman's example -- maybe not. It's the
4 manufacturer is the same but it's two different
5 models.

6 Q. Got it.

7 A. If that makes sense.

8 Q. It does make sense. Are you familiar with the
9 differences between the lithium battery in the Plasma
10 versus the one in this Rogue from 2022?

11 A. The specifications?

12 Q. Yes, sir.

13 A. Yes.

14 Q. And what are some of the differences in the specs
15 between the Plasma battery that the Wadsworths owned
16 and the Hoverboard the Wadsworths owned and the
17 battery that was in the Jetson Rogue?

18 A. The capacity of the cell that goes into the battery
19 pack are different.

20 Q. Okay. Anything else?

21 A. And I am almost -- actually, I shouldn't -- I'm not
22 sure but usually when the battery pack is different,
23 there is something called the BMS system which is the
24 brain of the battery, that is also different.

25 Q. Okay. Are you -- is that, the BMS being different

1 between the Plasma and the Rogue, is that something
2 that you're unsure of or are you sure that it would
3 have been different?

4 A. I am unsure -- sorry, I'm sure it's different but I'm
5 unsure of the differences. Sorry if I missed that
6 answer.

7 Q. That makes sense. What's the difference in capacity
8 between the two?

9 A. The one that's here for the Rogue, the capacity was 2
10 amp hour, and the one that's the Jetson Plasma here
11 is a 2.5 amp hour.

12 Q. Higher capacity in the Plasma?

13 A. Correct.

14 Q. Are you familiar with how a higher capacity of cells
15 in the battery of the Plasma affects and impacts any
16 potential risk of fire or explosion?

17 A. The difference here is .5, so my personal knowledge
18 it's very minimal.

19 Q. Okay. So they're pretty similar in capacity?

20 A. Sure.

21 MR. LAFLAMME: Object to form.

22 BY MR. AYALA:

23 Q. This Exhibit 55 goes on to state that "CPSC has
24 secured a strong recall remedy designed to get Jetson
25 Rogue Hoverboards away from consumers as quickly as

1 company or counsel.

2 Q. Before March 30th, 2023, did Jetson know that the
3 battery pack of the Jetson Rogue posed a fire hazard
4 due to overheating?

5 A. No.

6 Q. It never received any notice or complaint or concern
7 from anyone including manufacturers about that
8 concern?

9 MR. LAFLAMME: Object to form.

10 THE WITNESS: I believe I stated the
11 customer service team might have had some inquiries
12 from customers stating any of those, but again, I
13 don't know the details off the top of my head of
14 those circumstances and the use and et cetera as I
15 mentioned earlier of a product causing a thermal
16 event or a heat.

17 BY MR. AYALA:

18 Q. And you also don't know the number of complaints
19 received by Jetson relating to overheating concerns
20 or fire hazard concerns with the Rogue prior to this
21 notice by the CPSC?

22 A. I don't remember the exact number.

23 Q. Okay. Prior to the incident that we're here about in
24 February of 2022, did Jetson receive any complaints
25 from customers or concerns from customers relating to

1 overheating or fire hazards?

2 MR. LAFLAMME: Object to form.

3 MR. AYALA: Relating to this Hoverboard,
4 the Plasma.

5 MR. LAFLAMME: The Plasma.

6 THE WITNESS: I believe there were two
7 incidents, one of them was settled and another one
8 was determined it was an RC powered battery, an RC
9 car powered battery and was not our product Jetson
10 Plasma.

11 BY MR. AYALA:

12 Q. Okay. And so those are the only two complaints or
13 concerns that Jetson received prior to February 2022
14 about the Plasma overheating or creating a fire risk,
15 or are you saying that those are the only two claims
16 or potential claims that arose?

17 A. Those are the two potential claims that arose
18 regarding the product Jetson Plasma.

19 Q. Okay. And so my question was a little bit different.

20 My question was how many complaints by
21 customers were received prior to February 2022
22 relating to the Plasma and overheating or fire
23 hazard?

24 A. Those were the two.

25 Q. Okay. No comments, no emails, no inquiries prior to